

SEAC Special Education Advisory Committee

**Policies, Practices and Procedures
Subcommittee**

**Homebound and Home-Based Instruction
Draft Policy 5360
Special Education Draft Policy 5310
Review, Findings and Recommendations**





Homebound and Home-Based Instruction Draft Policy 5360 Review, Findings and Recommendations

Homebound Instruction:

- Temporary change in placement to home or facility
- Medical or mental health need
- Administration approval for homebound, students receiving Special Education requires an IEP team meeting:
 - To determine services
 - Up to 9 weeks, renewable

Home-based Instruction:

- Long-term change in placement
- General Education: Administration approval (disciplinary)
- Special Education: Disciplinary or other need





Homebound and Home-Based Instruction Draft Policy 5360 Review, Findings and Recommendations

Review of Findings

The policy subcommittee reviewed the draft policy and determined that it does not meet the needs of Special Education students.





Homebound and Home-Based Instruction Draft Policy 5360 Review, Findings and Recommendations

Homebound/Home-based Policy: Section 504

Recommendation 1: Add steps to meet obligations to students currently served by Section 504 Plans.

- The draft contains several steps to be taken for special education students.
 - It fails to include similar steps for students served by Section 504 plans.
 - Some of the same steps are required to comply with Section 504; Section 504 adds at least one obligation that is distinct from IDEA.
-
- (A)(2)(c) at “notification to special education supervisor”: add “or 504 coordinator”
 - (A)(3) (IEP Team meeting) add a similar (A)(4) with a 504 team meeting
 - Add new (A)(4)(b): “Conduct a full re-evaluation of the student.”
 - (A)(3)(e) at “revise the IEP”: Add new (A)(4)(b) “revise the 504 plan”
 - Add new (B)(1)(d) with all of these steps for home-based.





Homebound and Home-Based Instruction Draft Policy 5360 Review, Findings and Recommendations

Homebound/Home-based Policy: Child Find

Recommendation 2: Add steps to meet IDEA's "Child Find" obligation.

- The school division has an obligation to locate, identify, and evaluate students needing special education and related services.
 - The Child Study Team should consider why the student requires home-bound/-based education.
 - Many of the reasons a student requires homebound/-based instructional services are signs of a qualifying disability.
 - Placement change related to disability can equal the need for specially designed instruction.
- Add: Convene a Child Study Team at the first request for home-bound/-based to review and consider the need for special education and related services. If the student is not referred for evaluation, the Child Study Team should reconvene every 6 months.





Homebound and Home-Based Instruction Draft Policy 5360 Review, Findings and Recommendations

Home-bound/-based Policy: Dispute Resolution

Recommendation 3: Methods for resolving disputes regarding homebound instructional services.

- The VDOE Homebound Instructional Services Guidelines requires policy to include methods for resolving disputes regarding homebound/-based instructional services.
 - Without that written into the policy, the School Board has no ability to review and resolve disputes related to this policy.
- Add: Any parent or legal guardian who is not satisfied by the decision of the school division to their request for home-bound or home-based placement may appeal the decision to the School Board (see School Board Policy 2350 on Appeal of Administrative Decisions). The School Board Committee appointed under Policy 2350 is authorized to make exceptions to this policy for good cause.





Homebound and Home-Based Instruction Draft Policy 5360

Review, Findings and Recommendations

Home-bound/-based Policy: Editorial Changes

Recommendation 4: Make the following editorial changes.

- (B)(2)(A): switch (A) & (B) and append “; or” after the new (A)
- (A) and (B) are two separate cases, currently an AND, not an OR.
- (B)(2)(c): change “disciplinary action” to “placement change”
- Rename (C) to “General Provisions”
- Make the old (C) a new (C)(1) titled “Staff qualifications”
- Move (B)(2)(c) to (C)(2), titled “Attendance”
- (A)(3)(d): Prefix with “provide parents with Prior Written Notice” and change “consent” to “informed parental consent”
- (A)(3) “it’s”→ “its”





SEAC Recommendations AND voting



Recommendations

- Add steps to meet obligations to students currently served by 504 Plans.
- Add steps to meet IDEA's "Child Find" obligation.
- Add that denial of home-bound/-based under this policy are subject to Appeal of Administrative Decisions.
- Make the recommended editorial changes.

Voting





Special Education Draft Policy 5310 Review, Findings and Recommendations

Review of Findings

The policy subcommittee reviewed the Special Education draft policy and determined that it does not meet the needs of Special Education students.





Special Education Draft Policy 5310 Review, Findings and Recommendations

Special Education Policy:

The subcommittee has identified recommendations #1-3 as required per VDOE guidelines on developing policies to implement Special Education regulations, and should be included in the development of the Special Education policy:

Recommendation 1: Add language to the policy to address “developmental delay” classification; 8 VAC 20-81-80 M





Special Education Draft Policy 5310 Review, Findings and Recommendations

Special Education Policy:

Recommendation 2: Add language to the policy to prohibit harassment of children with disabilities. 8 VAC 20-81-100 N

LCPS prohibits the harassment of children with disabilities in academic and nonacademic settings during the school day and for school-sponsored extracurricular activities.





Special Education Draft Policy 5310 Review, Findings and Recommendations

Special Education Policy:

Recommendation 3: Add language to the policy or current LCPS procedures to address whether LCPS will allow or prohibit IEP amendments being made without a meeting.

8 VAC 20-81-110 B.9

After a child's annual IEP team meeting for the school year, the parent(s) and the (name of educational agency) may agree to develop a written amendment to a child's IEP without convening an IEP meeting. If changes are made to a child's IEP without a meeting, the (name of educational agency) must ensure that the child's IEP team is informed of the changes, and that the parent, upon request, is provided a revised copy of the child's IEP with the amendment incorporated. This process is not a substitute for the required annual IEP meeting.

OR

If a child's IEP needs amendment after a child's annual IEP team meeting for the school year, an IEP team meeting shall be scheduled to make the changes.





Special Education Draft Policy 5310 Review, Findings and Recommendations

Special Education Policy

Recommendation 4: Make the following editorial changes.

- Change Line 6 of draft policy: Remove the word “and” from “free appropriate public education”





SEAC Recommendations AND voting



Recommendations

Voting

- Develop a policy to address “developmental delay” classification; 8 VAC 20-81-80 M
- Develop a policy to prohibit harassment of children with disabilities. 8 VAC 20-81-100 N
- Develop a policy or procedure to address whether LCPS will allow or prohibit IEP amendments being made without a meeting. 8 VAC 20-81-110 B.9
- Make the recommended editorial changes



Thank you!

